

_AO91 (Rev. 8/01) Criminal Complaint

United States District Court

United States Magistrate Court
Southern District of Texas
FILED

SOUTHERN

DISTRICT OF

TEXAS

MAR 9 2005

5

UNITED STATES OF AMERICA

V.

Jose ESTRADA
Houston, Texas
United States

(Name and Address of Defendant)

CRIMINAL COMPLAINT

AAJ
Michael N. Hilby, Clerk
Laredo Division

Case Number: L-05-MJ 641

B. #50, 3-15

I, the undersigned complainant state that the following is true and correct to the best of my

knowledge and belief. On or about March 8, 2005 in Hebbronville, Texas Jim Hogg County, in
(Date)
the Southern District of Texas, Jose ESTRADA defendant(s),

a United States Citizen, did unlawfully transport Mexican aliens Jose Octavio PEREZ-Sanchez, and Marcelo JUAREZ-Diaz, and (4) other by means of a motor vehicle within the Southern District of Texas knowing or in reckless disregard of the fact that said aliens had come to, entered, or remained in the United States in violation of law, and transported or moved said aliens within the United States by means of motor vehicle or otherwise, in furtherance of such violation of law.

in violation of Title 8 United States Code, Section(s) 1324 (a) (1) (A) (ii)I further state that I am a(n) Senior Border Patrol Agent and that this complaint is based on the
Official Title
following facts: based on statements of the accused and records of the Immigration & Naturalization Service.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Jose Caballero

Printed Name of Complainant

Sworn to before me and signed in my presence,

March 9, 2005

Date

at

Laredo, Texas

City and State

Adriana Arce Flores

U.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

United States of America

Page 2

vs

Jose ESTRADA

[CONT OF BASIS OF COMPLAINT]

On March 8, 2005, Agents working in Hebbronville, Texas at approximately 3:00pm, noticed a passenger van headed West on HWY359. At approximately 3:30pm Agents observed the same van now traveling Eastbound. Due to other articulable facts, Agents decided to make a vehicle stop and conduct an immigration check on the van. Upon making the stop, Agents determined that the driver (Jose ESTRADA) was a United States Citizen who had Naturalized in the past. Agents questioned the passenger and determined that she was an undocumented alien from Mexico. Agents asked ESTRADA if anyone else was in the van, to which ESTRADA nodded yes. Agents opened the rear door and discovered five undocumented aliens hiding underneath the seats. All subjects were arrested and taken to the station for processing. All subjects were advised of their rights as per form I-214.

At the station, it was discovered that ESTRADA had been arrested and convicted for smuggling aliens on 12/02/2002 and received a one year supervised probation.

As per sworn statement of the material witness (Marcelo JUAREZ-Diaz) stated he had made arrangements to be smuggled into the United States. JUAREZ states that upon wading the river, he was taken to a hotel. JUAREZ states that he was then picked up and taken to an area where the group walked for about six hours. JUAREZ states that he was picked up by ESTRADA in the van and was instructed to lay down on the floorboard. Jose Octavio PEREZ-Sanchez's statements concurred with that of JUAREZ.